

08/529767

PENNIE & EDMONDS DOCKET NO. 8142-108-999 #2/A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3/6/96



Anticipated Classification of this application:

Class (subclass) 424

Prior application:

Examiner E. Campbell

Art Unit 1807

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.60, of pending prior application serial no. 08/197,791 filed on February 16, 1994.

of Joseph A. Sorge and Rebecca L. Mullinax

(inventor(s) currently of record in prior application)

for NOVEL POLYMERASE COMPOSITIONS AND USES THEREOF

(title of invention)

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration, as originally filed. I hereby verify that the enclosed is a true copy of the prior application.
2. ☐ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy.
3. ☒ The filing fee is calculated below:

**CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS
CANCELLED BY AMENDMENT BELOW**

EXPRESS MAIL CERTIFICATION

"Express Mail" label No. TB 666 913 929

Date of Deposit September 18, 1995

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

E. Maricut

(Type and print name of person making report or fee)
E. Maricut
(Signature of person making report or fee)

PEMP-43650.1

PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	16	-20	0	\$22.00 each	0.00
Independent	1	-3	0	\$76.00 each	0.00
Basic Fee					730.00
Multiple Dependency Fee If Applicable (\$240.00)					
Total					730.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- 365.00
Total Filing Fee					\$ 365.00

4. ☒ Please charge the required fee to Pennie & Edmonds Deposit Account No. 16-1150. A copy of this sheet is enclosed.
5. ☒ Cancel in this application original claims 17-32 of the prior application before calculating the filing fee (At least one original independent claim must be retained for filing purposes).
6. ☒ Amend the specification by inserting before the first line the following sentence: *continuation* This is a ☒ divisional of application serial no. 08/197,791 filed February 16, 1994 which is a CIP of application serial no. 08/164,290 filed December 8, 1993.

- 7a. ☐ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file.
- 7b. ☐ New formal drawings are enclosed.
- 7c. ☐ Informal drawings are enclosed.
- 8a. ☒ Priority of application serial no. 08/164,290 filed December 8, 1993 is claimed under 35 U.S.C. §120.
- 8b. ☐ The certified copy has been filed in prior application serial no. , filed .
9. ☒ The prior application is assigned of record to STRATAGENE.
- 10a. ☒ The Power of Attorney appears in the original papers in the prior application serial no. 08/197,791 filed February 16, 1994.
- 10b. ☐ Since the Power of Attorney does not appear in the original papers, a copy of the Power in prior application serial no. , filed is enclosed.
11. ☐ A preliminary amendment is enclosed.

12. ☒ A preliminary amendment will be filed after issuance of the filing receipt.
- 13a. ☒ Small entity status was established in prior application serial no. 08/197,791 filed February 16, 1994 and is still proper and desired.
- 13b. ☐ A verified statement claiming small entity status is enclosed.
14. ☒ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application serial no. 08/197,791 filed on February 16, 1994 be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from serial no. 08/197,791 is enclosed.
15. ☒ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from serial no. 08/197,791 is the same as the content of the computer readable form submitted in application serial no. 08/197,791.
16. ☐ Additional enclosures or instructions.
17. ☒ Address all future communications to PENNIE & EDMONDS, 1155 Avenue of the Americas, New York, New York 10036-2711.

The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

9/18/95
(date)

Scott R Bortner res 342-98 for
Albert P. Halluin (signature) 25,227 (Reg No.)

Name and address of signator:

Inventor(s)

Scott R. Bortner

Assignee of complete interest

2730 Sand Hill Road, #300

Attorney or agent of record

Menlo Park, CA 94025

XXX Filed under rule 34(a)

Tel. No. (212) 790-9090

PENNIE & EDMONDS

(415) 854-3660